

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CV-287-D

COLOR MASTERS PAINTING, INC.,)
and ZEBULON Z. HADLEY, IV,)
)
Plaintiffs,)
)
v.)
)
BALBOA CAPITAL CORPORATION,)
)
Defendant.)


ORDER

On June 22, 2016, plaintiffs moved to remand the action and asserted that the amount in controversy does not exceed the sum or value of \$75,000 exclusive of interest and costs [D.E. 14]. On July 13, 2016, defendant responded [D.E. 19]. On August 1, 2016, plaintiffs replied [D.E. 20].

The court has reviewed the complaint and the amended complaint. The amount in controversy exceeds \$75,000 exclusive of interest and costs. See, e.g., St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 291–92 (1938); Choice Hotels Int’l, Inc. v. Shiv Hosp., L.L.C., 491 F.3d 171, 176 (4th Cir. 2007).

In sum, plaintiffs’ motion to remand [D.E. 14] is DENIED. Defendant’s motion to dismiss [D.E. 6] is DENIED as moot in light of the amended complaint.

SO ORDERED. This 21 day of September 2016.


JAMES C. DEVER III
Chief United States District Judge